UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/624,326	07/22/2003	Hoo-Min Toong	65411.010112	7296

35893   7590   07/26/2005

GREENBERG TRAURIG, LLP
ONE INTERNATIONAL PLACE, 20th FL
ATTN: PATENT ADMINISTRATOR
BOSTON, MA 02110

EXAMINER
MOFIZ, APU M

ART UNIT	PAPER NUMBER
2165	

DATE MAILED: 07/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	10/624,326	TOONG ET AL.
	Examiner	Art Unit	
	Apu M. Mofiz	2165	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _22 July 2003_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-41_ is/are pending in the application.

　　4a) Of the above claim(s) _17-27 and 37-41_ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-16 and 28-36_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _22 July 2003_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a)☐ All　b)☐ Some * c)☐ None of:

　　　1.☐ Certified copies of the priority documents have been received.

　　　2.☐ Certified copies of the priority documents have been received in Application No. _____.

　　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
　　　　　application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
　　Paper No(s)/Mail Date _06/02/04;07/22/03_.

4)☐ Interview Summary (PTO-413)
　　Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Election/Restrictions

1.   Restriction to one of the following inventions is required under 35 U.S.C. 121:

     I.   Claims 1-16 and 28-36 are drawn to a method of searching a database management system, where one search query is sent to a database and data is generated based on the search query classified in class 707, subclass 3.

     II.   Claims 17-27 and 37-41 are drawn to a method of graphically displaying data on a GUI, where a set of data is displayed in a specific order within the user interface classified in class 715, subclass 700.

The inventions are distinct, each from the other because of the following reasons: Inventions in Group I and II are unrelated. Inventions are unrelated if it can be shown that they are not disclosed as capable of use together and they have different modes of operation, different functions, or different effects (MPEP § 806.04, MPEP § 808.01). In the instant case the different inventions are Database Management System by using (1) a method of searching a database management system, where one search query is sent to a database and data is generated based on the search query and (2) a method of graphically displaying data on a GUI, where a set of data is displayed in a specific order within the user interface.

Because these inventions are distinct for the reasons given above and have

acquired a separate status in the art as shown by their different classification, restriction

for examination purposes as indicated is proper.

During a telephone conversion with Howard Skaist, a provisional election was

made without traverse to prosecute the invention of Group I, claims 1-16 and 28-36.

Applicant in replying to this office action must make affirmation of this election. Claims

17-27 and 37-41 are withdrawn from further consideration by the examiner, 37 CFR

1.142(b), as being drawn to a non-elected invention.

Applicant is reminded that upon the cancellation of claims to a non-elected

invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one

or more of the currently named inventors is no longer an inventor of at least one claim

remaining in the application. Any amendment of inventorship must be accompanied by

a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the
United States before the invention thereof by the applicant for patent, or on an international application
by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this
title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act

of 1999 (AIPA) do not apply to the examination of this application as the application

being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily

published under 35 U.S.C. 122(b). Therefore, this application is examined under 35

U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3.   Claims 1-16 and 28-36 are rejected under 35 U.S.C. 102(e) as being anticipated

by Rivette et al. (U.S. Patent No. 6,339,767 and Rivette hereinafter).

As to claims 1 and 28, Rivette teaches a method of searching a database of data

elements, the method comprising: generating a search query to identify a first set of one

or more data elements in the database, based on the first set, identifying a second set

of one or more data elements in the database, where the data elements of the second

set are related to one or more of the data elements of the first set, and generating data

based on the data elements of the first and second sets and the relationships there

between (i.e., *"These tools do not have functions for correlating, analyzing, and otherwise processing patent*

related information with non-patent related information, including but not limited to corporate operational data,

financial information, production information, human resources information, and other types of corporate

information." ... "The present invention maintains first databases of patents, and second databases of non-patent

information of interest to a corporate entity." ... "For example, a patent's value may be linked to whether it covers

technology that the corporation is currently using, or that the corporation may use in the future. For this and other

purposes, the present invention includes functions for automatically analyzing the patent information 204 in

conjunction with manufacturing information 204 and/or R&D information 206." ... "For this and other purposes,

the present invention includes functions for automatically analyzing the patent information 204 in conjunction with the licensing information 214. " ... "For example, the clients 304, 306 may request that the enterprise server 314 retrieve certain information, or automatically analyze certain information. The enterprise server 314 performs the requested tasks, and sends the results to the requesting clients 304, 306. The clients 304, 306 present these results to their respective operators, and enable the operators to process the results. Clients 304, 306 may also perform additional processing of data, such as creating a visualization of the data obtained from the enterprise server 314." ... "The searching module 410 in the enterprise server 314 interacts with a search engine 424 to conduct searches through the data in the databases 316 pursuant to search requests from the clients 304, 306." ... "Figure 45 is a generic dataflow diagram illustrating the general manner in which ... "The selected patent may also be linked to references to other documents that are contained in the selected patent. For example, the selected patent as displayed in FIGS. 145A-145C includes links to cited U.S. patent documents. These links are represented by reference numbers 14526 and 14528." ... "The selected patent may also include links to citations of other publications, as represented by reference number 14530, and citations to related applications, as represented by reference number 14532." The preceding text excerpts clearly indicate that the system provides a tool to correlate, analyze patent related information with non-patent related information. A user may search for a particular patent using a searching module. The returned patent document is correlated, analyzed with other non-patent related information e.g. licensing, financial and other information with the help of an operator automatically and the combined result is visually presented to the user. The non-patent related information is identified by a plurality of methods including references containing citations or HTML links in the patent document. Therefore a user provided search query identifies/ generates a first set of one or more data elements e.g., a patent document and based on the first set, the analyzer generates relationships with/correlates non-patent related data e.g., licensing, financial data to the patent related data using a plurality of methods including time i.e., issue date, references with HTML links and citations and the both sets of data is visually presented e.g. geometric shapes in a graph to the user.) (Abstract; col 3, lines 5-19; col 4, lines 1-40; col 11, lines 50-67; col 14, lines 50-62; col 26, lines 39-43; col 57, lines 4-67; col 118, lines 41-53; Figs. 174-176).

As to claims 2 and 3, Rivette teaches wherein generating a search query includes: receiving search data from the user, based on the search data, generating the search query (see comments from claim 1) (Abstract; col 3, lines 5-19; col 4, lines 1-40; col 11, lines 50-67; col 14, lines 50-62; col 26, lines 39-43; col 57, lines 4-67; col 118, lines 41-53; Figs. 174-176).

As to claim 4, Rivette teaches wherein generating a search query includes: determining one or more keywords based on the search data, and generating the search query including the one or more keywords (see comments from claim 1) (Abstract; col 3, lines 5-19; col 4, lines 1-40; col 11, lines 50-67; col 14, lines 50-62; col 26, lines 39-43; col 57, lines 4-67; col 118, lines 41-53; Figs. 174-176).

As to claim 5, Rivette teaches coalescing the first set of data elements to include unique data elements (see comments from claim 1) (Abstract; col 3, lines 5-19; col 4, lines 1-40; col 11, lines 50-67; col 14, lines 50-62; col 26, lines 39-43; col 57, lines 4-67; col 118, lines 41-53; Figs. 174-176).

As to claims 6 and 29, Rivette teaches wherein the data elements of the second set are related to one or more of the data elements of the first set based on time (see comments from claim 1) (Abstract; col 3, lines 5-19; col 4, lines 1-40; col 11, lines 50-67; col 14, lines 50-62; col 26, lines 39-43; col 57, lines 4-67; col 118, lines 41-53; Figs. 174-176).

As to claims 7, 10, 11 and 30, Rivette teaches wherein the data elements of the second set are related to one or more of the data elements of the first set based on one

or more references (see comments from claim 1) (Abstract; col 3, lines 5-19; col 4, lines 1-40; col 11, lines

50-67; col 14, lines 50-62; col 26, lines 39-43; col 57, lines 4-67; col 118, lines 41-53; Figs. 174-176).

As to claims 8 and 31, Rivette teaches wherein the references are based on the

content of one or more of the data elements of the first set and the data elements of the

second set (see comments from claim 1) (Abstract; col 3, lines 5-19; col 4, lines 1-40; col 11, lines 50-67; col

14, lines 50-62; col 26, lines 39-43; col 57, lines 4-67; col 118, lines 41-53; Figs. 174-176).

As to claims 9 and 32, Rivette teaches wherein the references include one or

more of citations and HTML links (see comments from claim 1) (Abstract; col 3, lines 5-19; col 4, lines 1-

40; col 11, lines 50-67; col 14, lines 50-62; col 26, lines 39-43; col 57, lines 4-67; col 118, lines 41-53; Figs. 174-

176).

As to claims 12 and 33, Rivette teaches providing the generated data to one or

more of a user and a display (see comments from claim 1) (Abstract; col 3, lines 5-19; col 4, lines 1-40;

col 11, lines 50-67; col 14, lines 50-62; col 26, lines 39-43; col 57, lines 4-67; col 118, lines 41-53; Figs. 174-176).

As to claims 13, 14 and 34, Rivette teaches graphically displaying the data

elements of the first and second sets and the relationships there between (see comments

from claim 1) (Abstract; col 3, lines 5-19; col 4, lines 1-40; col 11, lines 50-67; col 14, lines 50-62; col 26, lines 39-

43; col 57, lines 4-67; col 118, lines 41-53; Figs. 174-176).

As to claims 15 and 35, Rivette teaches wherein the data elements are represented by geometric shapes and wherein the relationships are represented by lines between geometric shapes (see comments from claim 1) (Abstract; col 3, lines 5-19; col 4, lines 1-40; col 11, lines 50-67; col 14, lines 50-62; col 26, lines 39-43; col 57, lines 4-67; col 118, lines 41-53; Figs. 174-176).

As to claims 16 and 36, Rivette teaches determining locations at which to display the geometric shapes and the lines to reduce overlaps between geometric shapes and crossings between lines (see comments from claim 1) (Abstract; col 3, lines 5-19; col 4, lines 1-40; col 11, lines 50-67; col 14, lines 50-62; col 26, lines 39-43; col 57, lines 4-67; col 118, lines 41-53; Figs. 174-176).

Points of Contact

4.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Apu M. Mofiz whose telephone number is (571) 272-4080. The examiner can normally be reached on Monday – Thursday 8:00 A.M. to 4:30 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Jeffrey Gaffin can be reached at (571) 272-4146. The fax numbers for the

group is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application should

be directed to the Group receptionist whose telephone number is (703) 305-9600.

Apu M. Mofiz
Primary Patent Examiner
Technology Center 2100

July 12,2005